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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,844	11/04/2003	W. James Jackson	2479.0040002/EJH/C-K	3069
78078 7590 06/26/2008 Sterne, Kessler, Goldstein & Fox, P.L.L.C. 1100 New York Avenue, NW Washington, DC 20005			EXAMINER BASKAR. PADMAVATHI	
			ART UNIT 1645	PAPER NUMBER
			MAIL DATE 06/26/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/701,844

Examiner

Padmavathi v. Baskar

Applicant(s)

JACKSON ET AL.

Art Unit

1645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/7/08.
2. ☒ The allowed claim(s) is/are 29, 31-42, 44-50, 52-58 and have been renumbered as 1-27 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 11/5/07.
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
SHANON FOLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

1. This supplemental allowance is to correct the typographical errors made in the previous allowance.

***Examiner's amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Elizabeth J. Haanes (see attached interview summary) on 8/2/07. The application has been amended as follows:

Claims 28 and 59 are canceled.

Claim 29. (Currently Amended) An isolated antibody or antigen-binding fragment thereof which specifically binds to ~~a polypeptide consisting essentially of~~ amino acids 29-1012 of SEQ ID NO: 2.

Claim 31. (Currently Amended) The antibody or fragment thereof of claim 29, ~~of which further specifically binds to a polypeptide consisting essentially of~~ amino acids 29-1013 of SEQ ID NO: 15.

Claim 32. (Currently Amended) The antibody or fragment thereof of claim 29, which further specifically binds to ~~a polypeptide consisting essentially of~~ amino acids 29-1013 of SEQ ID NO: 16.

Claim 33. (Currently Amended) The antibody or fragment thereof of claim 29, wherein said polypeptide amino acids 29-1012 of SEQ ID NO: 2 are encoded by SEQ ID NO: 1.

Claim 34. (Currently Amended) The antibody or fragment thereof of claim 31, wherein said polypeptide amino acids 29-1013 of SEQ ID NO: 15 are encoded by SEQ ID NO: 23.

Claim 35. (Currently Amended) The antibody or fragment thereof of claim 32 wherein said polypeptide amino acids 29-1013 of SEQ ID NO: 16 is encoded by SEQ ID NO: 24.

Claim 41. (Currently Amended) The antibody or fragment thereof of claim 29, which is selected from the group consisting of ~~an Fv fragment, a single chain Fv fragment (scFv), a F(ab')<sub>2</sub> fragment, and a Fab fragment, a single chain antibody, and a complementarity determining region (CDR).~~

Claim 42. (Currently Amended) The antibody or antigen-binding fragment thereof of claim 29, which specifically binds to ~~a polypeptide consisting essentially of an~~ the amino acid sequence encoded by the *Chlamydia trachomatis* insert in plasmid pJJ36-J from *E. coli* TOP10 (pJJ36-J).

Claim 49. (Currently Amended) The antibody or fragment thereof of claim 42, which is selected from the group consisting of ~~an Fv fragment, a single chain Fv fragment (scFv), a F(ab')<sub>2</sub> fragment, and a Fab fragment, a single chain antibody, and a complementarity determining region~~

~~(CDR).~~

Claim 50. (Currently Amended) The isolated antibody or antigen-binding fragment thereof of claim 29, which specifically binds to the ~~a polypeptide consisting essentially of an amino acid sequence at least 95% identical to the amino acid sequence encoded by the Chlamydia trachomatis insert in plasmid pAH342 from E. cob BL21 (pAH342).~~

Claim 57. (Currently Amended) The antibody or fragment thereof of claim 50, which is selected from the group consisting of ~~an Fv fragment, a single chain Fv fragment (scFv), a F(ab')<sub>2</sub> fragment, and a Fab fragment, a single chain antibody, and a complementarity determining region~~ (CDR).

Claim 58. (Currently Amended) ~~An antiserum comprising~~ The antibody or fragment thereof of claim 29-36 ~~which wherein said antiserum is produced by a method comprising (1) administering to an animal a polypeptide consisting essentially of an amino acids 29-1012 of SEQ ID NO: 2 and (2) recovering the antiserum said~~ antibody ~~from said animal.~~

3. In view of amendment to the claims, all the rejections of record are withdrawn.

#### **Conclusion**

4. Claims 29, 31-42, 44-50, 52-58 are allowed and have been renumbered as 1-27 respectively.

5. IDS filed on 11/5/07 is acknowledged and a signed copy is attached to this action.

6. Claims are drawn to an antibody that binds to amino acids 29-1012 of SEQ.ID.NO:2, said sequence is from Chlamydia trachomatis serovar LGV L2. The antibody also binds to other serovar B and F, represented by SEQ.ID.NO:15 and 16 respectively. The antibody is of use in identifying Chlamydia trachomatis.

8. Papers related to this application may be submitted to Group 1600, AU 1645 by facsimile transmission. Papers should be transmitted via the PTO Fax Center, which receives transmissions 24 hours a day and 7 days a week. The transmission of such papers by facsimile must conform to the notice published in the Official Gazette, 1096 OG 30, November 15, 1989. The Right Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PMR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PMR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Padma Baskar Ph.D., whose telephone number is ((571) 272-0853. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 6.30 a.m. to 4.00 p.m. except First Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached on (571) 272-0898. Any inquiry of a general nature or relating to the status of this

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application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

  
Padma Baskar Ph.D.

  
SHANON FOLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

**CLEAN COPY OF ALLOWED CLAIMS**

Claim ~~29~~<sup>1</sup>. An isolated antibody or antigen-binding fragment thereof which specifically binds to amino acids 29-1012 of SEQ ID NO: 2.

Claim ~~31~~<sup>2</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, ef-which further specifically binds to amino acids 29-1013 of SEQ ID NO: 15.

Claim ~~32~~<sup>3</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which further specifically binds to amino acids 29-1013 of SEQ ID NO: 16.

Claim ~~33~~<sup>4</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, wherein amino acids 29-1012 of SEQ ID NO: 2 is encoded by SEQ ID NO: 1.

Claim ~~34~~<sup>5</sup>. The antibody or fragment thereof of claim ~~31~~<sup>2</sup> wherein amino acids 29-1013 of SEQ ID NO: 15 is encoded by SEQ ID NO: 23

Claim ~~35~~<sup>6</sup>. The antibody or fragment thereof of claim ~~32~~<sup>3</sup> wherein amino acids 29-1013 of SEQ ID NO: 16 is encoded by SEQ ID NO: 24.

Claim ~~36~~<sup>7</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which is polyclonal.

Claim ~~37~~<sup>8</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which is monoclonal.

Claim ~~38~~<sup>9</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which is humanized.

Claim ~~39~~<sup>10</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which is chimeric.

Claim ~~40~~<sup>11</sup>. The antibody or fragment thereof of claim ~~29~~<sup>1</sup>, which is fully human.

Claim ~~41~~<sup>12</sup>. The antibody or fragment of claim ~~29~~<sup>1</sup>, which is selected from the group consisting of a single chain Fv fragment (scFv), F(ab')<sub>2</sub> fragment and a Fab fragment.

Claim ~~42~~<sup>13</sup>. The antibody or antigen-binding-fragment thereof of claim ~~29~~<sup>1</sup>, which specifically binds to the amino acid sequence encoded by the *Chlamydia trachomatis* insert in plasmid pJJ36-J from *E. coil* TOP10 (pJJ36-J).

Claim ~~44~~<sup>14</sup>. The antibody or fragment thereof of claim ~~42~~<sup>13</sup>, which is polyclonal.

Claim ~~45~~<sup>15</sup>. The antibody or fragment thereof of claim ~~42~~<sup>13</sup>, which is monoclonal.

Claim ~~46~~<sup>16</sup>. The antibody or fragment thereof of claim ~~42~~<sup>13</sup>, which is humanized.

Claim ~~47~~<sup>17</sup>. The antibody or fragment thereof of Claim ~~42~~<sup>13</sup>, which is chimeric.

Claim ~~48~~<sup>18</sup>. The antibody or fragment thereof of claim ~~42~~<sup>13</sup>, which is fully human.

Claim ~~49~~<sup>19</sup>. The antibody or fragment thereof of claim ~~42~~<sup>13</sup>, which is selected from the group consisting of a single chain Fv fragment (scFv), a F(ab')<sub>2</sub> fragment and a Fab fragment.

20  
Claim 50. The antibody or antigen-binding fragment thereof of claim 20, which specifically binds to the amino acid sequence encoded by the *Chlamydia trachomatis* insert in plasmid pAH342 from *E. coli* BL21 (pAH342).

21  
Claim 53. The antibody or fragment thereof of claim 50, which is monoclonal.

22  
Claim 54. The antibody or fragment thereof of claim 50, which is humanized.

23  
Claim 55. The antibody or fragment thereof of claim 50, which is chimeric.

24  
Claim 56. The antibody or fragment thereof of claim 50, which is fully human.

25  
Claim 57. The antibody or fragment thereof of claim 50, which is selected from the group consisting of a single chain Fv fragment (scFv), a F(ab')<sub>2</sub> fragment and a Fab fragment.

26  
Claim 58. The antibody of claim 36 which is produced by a method comprising (1) administering to an animal amino acids 29-1012 of SEQ ID NO: 2 and (2) recovering said antibody from said animal.